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*Attorneys for Sanofi-Aventis U.S. LLC*

**IN THE UNITED STATES DISTRICT COURT  
FOR DISTRICT OF MONTANA  
HELENA DIVISION**

THE STATE OF MONTANA, *ex rel.*,  
AUSTIN KNUDSEN, ATTORNEY  
GENERAL,

*Plaintiff,*

v.

ELI LILLY AND COMPANY, et al.,

*Defendants.*

Case No. 6:22-cv-00087-BMM

**ELI LILLY AND COMPANY,  
NOVO NORDISK INC., AND  
SANOFI-AVENTIS U.S. LLC'S  
RULE 12(b)(6) MOTION  
TO DISMISS THE FIRST  
AMENDED COMPLAINT**

Eli Lilly and Company, Novo Nordisk Inc., and Sanofi-Aventis U.S. LLC (collectively, the “Manufacturers”) respectfully move this Court to dismiss Plaintiff’s Complaint pursuant to Rule 12(b)(6), Fed. R. Civ. P. The brief and declaration of Elizabeth Lund filed contemporaneously herewith support the Manufacturers’ motion. Plaintiff opposes this motion.

DATED this 23d day of February, 2023.

By: /s/ Elizabeth W. Lund  
BERG LILLY, PC  
*Attorney for Defendant Sanofi-Aventis U.S. LLC*

By: /s/ William M. Mercer  
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*Attorney for Defendant Eli Lilly and Company*

By: /s/ Emma L. Mediak  
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